

# **NOTICE OF ORDER WILDLIFE AND COUNTRYSIDE ACT 1981 SECTION 53**

Northumberland County Council  
Definitive Map Modification Order (No 9) 2017 Byways Open to All Traffic  
Nos 45 & 31 (Parishes of Eglingham and Newton-by-the-Sea)

Notice is hereby given that the above referenced Order has been submitted to the Secretary of State for Environment, Food and Rural Affairs for determination. An Inspector will be appointed by the Secretary of State to determine the Order.

The **start date** for the above Order is **27 December 2018**.

Consideration of the Order will take the form of exchanges of statements of case and comments on statements of case.

The effect of the Order, if confirmed without modifications, will be to modify the definitive map and statement for the area by:-

## **Former Alnwick District**

### **Byway Open to All Traffic No 45 (Parish of Eglingham)**

Adding thereto a byway open to all traffic, from a point marked X, on the A1 trunk road, opposite its junction with the C47 road at North Charlton, in a general easterly direction along the U3002 road, for a distance of 1175 metres to a point marked Y, on Byway Open to All Traffic No 31 in the Parish of Newton-by-the-Sea, 520 metres north of Charlton Hall.

Any queries relating to this Order should be referred to Helen Sparks at The Planning Inspectorate, Rights of Way Section, Room 3/A Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Telephone: 0303 444 5646. Email: [helen.sparks@pins.gsi.gov.uk](mailto:helen.sparks@pins.gsi.gov.uk) Please quote reference number ROW/3208512 on all correspondence.

Any person wishing to view the statements of case and other documents relating to this Order may do so by appointment, during normal office hours (i.e. 9:00am – 5:00pm Mondays to Thursdays and 9:00am – 4:30pm Fridays), in the Infrastructure Records Team office at: County Hall, Morpeth, Northumberland, NE61 2EF. To arrange a viewing, please contact Mr Alex Bell on Telephone Number 01670 624133 or E-mail Address [alex.bell@northumberland.gov.uk](mailto:alex.bell@northumberland.gov.uk)

## **Timetable for sending in statements of case and comments**

### **Within 2 weeks of the start date [by 10 January 2019]**

The Order Making Authority must ensure their statement of case is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send a copy (excluding copies of any supporting documents - these will be available to view at the Authority's offices) to everyone who has made an objection or representation, the applicant and any other person who has written to us in respect of the Order.

**Within 8 weeks of the start date [by 21 February 2019]**

Everyone who has made an objection or representation or any other written representation must ensure their statement of case is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send full copies to the Authority. Copies (excluding copies of any supporting documents - these will be available to view at the Authority's offices) will also be sent to the applicant, every person who has made an objection or representation and any other person who has written to us in respect of the Order.

Within the same period the applicant (if applicable) must ensure their statement of case is received by the Secretary of State. As soon as possible after the deadline, Secretary of State will send a full copy to the Authority. Copies will also be sent to everyone who has made an objection or representation and any other person who has written to us in respect of the Order (excluding copies of any supporting documents - these will be available to view at the Authority's offices).

**Within 14 weeks of the start date [by 4 April 2019]**

Everyone who has made an objection or representation, the Authority, the applicant (if applicable) and anyone who has written to us in respect of the Order must ensure that their comments on any or every other statement of case is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send copies of these comments to everyone else.

Any other person wishing to make representations in writing to the Secretary of State in respect of the above Order must do so in line with the timetable set out above.

In fairness to the other parties everyone should keep to the timetable to ensure that statements of case and comments are received on time. Late documents will be returned.

We cannot accept any libellous, racist or abusive comments. Any documents containing such comments will be returned.

Notice of order for w/r

# **Wildlife and Countryside Act 1981**

## **Definitive Map and Statement of Public Rights of Way for the County of Northumberland**

### **The Northumberland County Council**

#### **Definitive Map Modification Order (No 9) 2017**

##### **Byways Open to All Traffic Nos 45 & 31 (Parishes of Eglingham and Newton-by-the-Sea)**

This Order is made by Northumberland County Council under Section 53(2)(b) of the Wildlife and Countryside Act 1981 ("the Act") because it appears to that authority that the Definitive Map and Statement of Public Rights of Way for the County of Northumberland require modification in consequence of the occurrence of events specified in Section 53(3)(c)(i)(ii) and (iii), namely, the discovery by the authority of evidence which (when considered with all other relevant evidence available to them) shows that a right of way which is not shown in the map and statement subsists or is reasonably alleged to subsist over land in the area to which the map relates, being a right of way such that the land over which the right subsists is a public path, a restricted byway or, subject to section 54A, a byway open to all traffic; that a highway shown in the map and statement as a highway of a particular description ought to be there shown as a highway of a different description; and that there is no public right of way over land shown in the map and statement as a highway of any description, or any other particulars contained in the map and statement require modification.

The authority has consulted every local authority whose area includes the land to which the order relates. The Northumberland County Council hereby order that:

1. For the purposes of this Order the relevant date is 1 May 2017.
2. The Definitive Map and Statement of Public Rights of Way for the County of Northumberland shall be modified as described in the Schedule and shown on the map attached to the Order.
3. This Order shall take effect on the date it is confirmed and may be cited as The Northumberland County Council Definitive Map Modification Order (No 9) 2017.

# Definitive Map Modification Order (No 9) 2017

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# Definitive Map Modification Order (No 9) 2017

## Description of Modification to Definitive Map and Statement

### Former Alnwick District

**Eglington**                      **Footpath No 37**    **(NU 12 SE)**

Part I      Map:              The map is not affected.

Part II      Statement:      To be amended as follows:  
From Byway Open to All Traffic No 45 (the U3002 road) east of North Charlton in a general northerly direction for 200 metres, following the eastern boundary of the A1 Trunk Road and then continuing for 210 metres on the former C71 road to join Bridleway No 24 at the Ellingham Parish boundary 490 metres south of Tynely.

**Eglington**                      **Byway Open to All Traffic No 45**    **(NU 12 SE)**

Part I      Map:              Adding thereto a byway open to all traffic, from a point marked X, on the A1 trunk road, opposite its junction with the C47 road at North Charlton, in a general easterly direction along the U3002 road, for a distance of 1175 metres to a point marked Y, on alleged Byway Open to All Traffic No 31 in the Parish of Newton-by-the-Sea, 520 metres north of Charlton Hall.

Part II      Statement:      To be prepared as follows:  
As an 8 to 9 metre wide byway open to all traffic, from the A1 trunk road, opposite its junction with the C47 road at North Charlton, in a southerly direction for a distance of 155 metres. Thereafter, as a 5 metre wide byway in an easterly direction for a distance of 680 metres. Then as a 7 to 8.5 metre wide byway in an easterly direction for a distance of 180 metres, then as an 8 to 9.5 metre wide byway in a north-easterly direction for a distance of 160 metres to join Byway Open to All Traffic No 31 in the Parish of Newton-by-the-Sea, 520 metres north of Charlton Hall.

**Newton-by-the-Sea      Footpath No 25      (NU 12 SE)**

**Part I      Map:**      Deleting thereto the footpath, from a point marked Z, 355 metres south-east of Doxford Farmhouse, in a general north-westerly direction for a distance of 320 metres to a point marked A, immediately west of number 2 Doxford Farm Cottages, as a consequence of this section being upgraded to byway open to all traffic status (and renumbered as part of Byway open to All Traffic No 31).

**Part II      Statement:**      To be amended as follows:  
From the Charlton Mires - Chathill road opposite West Lodge in a general westerly direction to join Byway Open to All Traffic No 31, 355 metres south-east of Doxford Farmhouse. Resuming from the northern end of Byway Open to All Traffic No 31, immediately west of number 2 Doxford Farm Cottages, in a general northerly direction, crossing the bridge over the Charlton Burn continuing in a northerly direction by Dunstan Hill to join the Tynely - Burnhouses road south-west of Doxford Hall.

**Newton-by-the-Sea      Bridleway No 26      (NU 12 SE)**

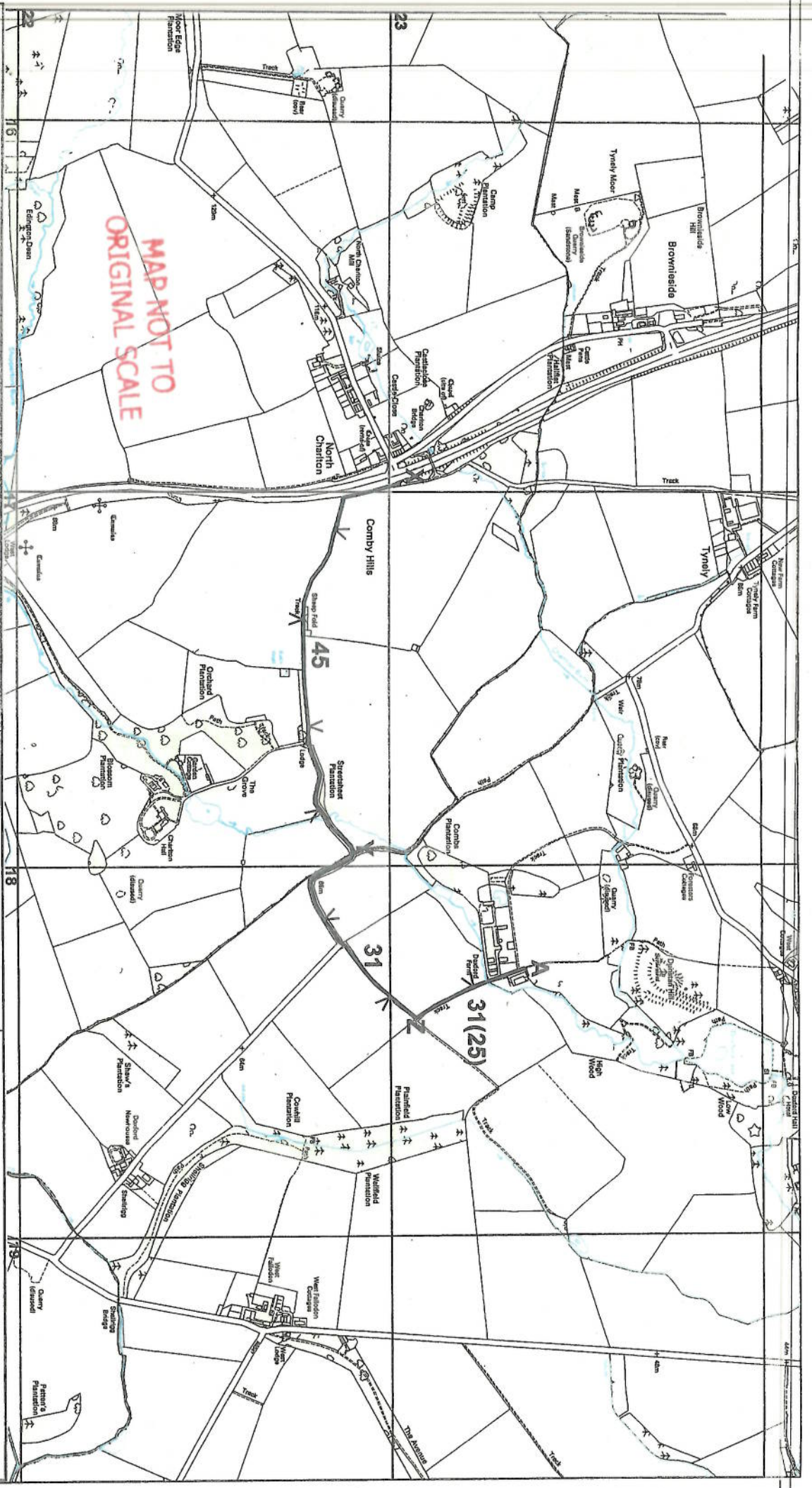
**Part I      Map:**      The map is not affected.

**Part II      Statement:**      To be amended as follows:  
From the Charlton Bridge - Christon Bank Station road south-east of Tynely in a south-easterly direction along the parish boundary, crossing the bridge over the Charlton Burn and the bridge over the Shipperton Burn, continuing in a south-easterly direction to join Byway Open to All Traffic No 31 (the North Charlton - Christon Bank road) north of Charlton Hall.

**Newton-by-the-Sea Byway Open to All Traffic No 31**

**(NU 12 SE)**

- Part I Map:** Adding thereto a byway open to all traffic, from a point marked Y, on alleged Byway Open to All Traffic No 45 in the Parish of Eglington, 520 metres north of Charlton Hall, in a south-easterly, north-easterly and north-westerly direction along the U3002 road, for a distance of 940 metres to a point marked A, on Public Footpath No 25, immediately west of number 2 Doxford Farm Cottages.
- Part II Statement:** To be prepared as follows:  
As a 14 metre wide byway open to all traffic, from Byway Open to All Traffic No 45 in the Parish of Eglington, 520 metres north of Charlton Hall, in a south-easterly direction for a distance of 145 metres. Thereafter as a 9 to 12 metre wide byway, in a north-easterly direction for a distance of 185 metres to a 3-way junction of the U3002 road. Thereafter as a 5.5 to 6 metre wide byway, continuing in a north-easterly direction for a distance of 290 metres to a junction with Public Footpath No 25. Then as a 5 to 6.5 metre wide byway in a north-westerly direction for a distance of 215 metres, and across the Shipperton Burn. Thereafter as a 7 metre wide byway in a northerly direction for a distance of 35 metres. Then as a 10 metre wide byway continuing in a northerly direction for a further 70 metres to join Public Footpath No 25, immediately west of number 2 Doxford Farm Cottages.



MAP NOT TO ORIGINAL SCALE

Northumberland

**Northumberland County Council**

Infrastructure  
Local Services

County Hall Morpeth Northumberland  
Telephone 0845 600 6400 NE61 2EF

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Wildlife and Countryside Act, 1981

**Definitive Map of Public Rights of Way for the County of Northumberland**

**The Northumberland County Council**

**Modification Order (No.9) 2017**

- Public Footpath to be deleted**
- Public Footpath
  - Public Bridleway
  - Restricted Byway
  - Byway Open to All Traffic

O.S. Map NU 12 SE	Definitive Map No. 49
Former District(s) Alnwick	Parish(es) Eglington/Newton-by-the-Sea
	Scale: 1/10,000
	Date: April 2017

*W. Brown*



IN WITNESS whereof the Common Seal of the County Council of Northumberland was hereunto affixed on the 18<sup>th</sup> day of September 2017

**The Common Seal of the County Council of Northumberland** was hereunto affixed in the presence of:-



**Duly Authorised Officer**



**THE COUNTY COUNCIL OF NORTHUMBERLAND** in exercise of their powers under Part 111 of the Wildlife and Countryside Act 1981, hereby confirm the foregoing Order with the following proposals to be omitted:-

**Parish of Eglington Footpath No 37**

**Parish of Eglington Byway Open to All Traffic No 45**

Northumberland County Council Definitive Map Modification Order (No 9) 2017

**IN WITNESS** thereof, the Common Seal of the County Council of Northumberland was hereunto affixed the 21<sup>st</sup> day of May 2018

*J. Mulvan*

**THE COMMON SEAL OF THE COUNTY COUNCIL OF NORTHUMBERLAND** was hereunto affixed on the presence of:-

Duly Authorised Officer

